

## **AMENDMENTS IN THE CLAIMS**

1. (Cancelled)

2. (Currently Amended) A method for transmitting control information in a mobile station of a mobile communication system which transmits the control information filled in a frame on a dedicated physical control channel, the frame being divided into a plurality of slots, the method comprising the steps of:

determining whether there is dedicated physical data channel data to transmit to a base station; and

gating transmission of the control information in a partial duration of a predetermined one of the slots of the dedicated physical control channel when there is no dedicated physical data channel data to transmit for a predetermined time.

3. (Original) The method as claimed in claim 2, wherein the control information includes a power control signal.

4. (Previously Presented) The method as claimed in claim 2, wherein the control information includes pilot symbols, transport format combination indicator (TFCI) bits, and feedback information (FBI) bits for a phase difference between at least two transmit diversity antennas used by the base station.

5. (Previously Presented) A mobile station transmitter for a mobile communication system, comprising:

a dedicated physical control channel (DPCCH) for transmitting control information including a power control signal;

a dedicated physical data channel (DPDCH) for transmitting user data or signaling data;

a switch for gating a signal on the dedicated control channel; and

a controller for gating the switch such that when there is no dedicated data channel signal to be transmitted to a base station for a predetermined time, the control information is transmitted in a partial duration of a predetermined one of slots constituting a frame.

6. (Previously Presented) The mobile station transmitter as claimed in claim 5, wherein the control information includes pilot symbols, transport format combination indicator (TFCI) bits, and feedback information (FBI) bits for a phase difference between at least two transmit diversity antennas used by the base station.